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THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 12 January 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the Secretary-General

As the representative of the country that has the current chairmanship of the Summit of the Organization of the Islamic Conference, I have the honour to address to you herewith a copy of the Final Declaration of the Meeting of the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees, held in Dakar, Senegal, on 11 January 1993 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 30 and 143, and of the Security Council.

(Signed) Mame Balla SY
Chargé d'affaires a.i.

ANNEX

Final Declaration of the Meeting of the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees held in Dakar, Senegal

(18 Rajab 1413H, 11 January 1993)

1. At the kind invitation of His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Organization of the Islamic Conference, the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees met in Dakar, Republic of Senegal, on 18 Rajab 1413H, corresponding to 11 January 1993.

2. The Meeting was attended by the following member States of the Bureau and those chairing the Standing Committees: Republic of Indonesia, Republic of Senegal, Syrian Arab Republic, State of Palestine, State of Kuwait, Kingdom of Morocco, Islamic Republic of Pakistan, Republic of Turkey.

3. The Kingdom of Saudi Arabia, as Chairman of the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers, attended the Meeting.

4. His Excellency Alija Izetbegović, President of the Republic of Bosnia and Herzegovina, also attended the Meeting.

5. The Meeting considered the question of the banished Palestinians, the tragic situation in Bosnia and Herzegovina and the question of the destruction of the Babri Mosque.

6. The Meeting examined the odious crime committed by the Israeli Government in implementing its policy of massive banishment and by banishing over 400 Palestinian citizens from their occupied homeland, and its dangerous effects on the cause of Palestine and Al-Quds Al-Sharif. It strongly condemned the Israeli Government's decision to banish Palestinian citizens from their homeland and considered it as a flagrant violation of the principles of human rights and all international conventions and agreements, and in particular the Fourth Geneva Convention of 1949, as well as a violation of the sovereignty of Lebanon and the unity and security of its territories and a threat to the international peace and security and the continuation of the Middle East peace talks.

7. In this context, it strongly condemned Israel for having announced its refusal to implement Security Council resolution 799 (1992), thus violating Article 26 of the Charter of the United Nations, a fact which demands the application on Israel of Chapter VII of the Charter for having refused to implement this resolution as well as other international resolutions.

8. It underlined that the Israeli Government bears exclusive and direct responsibility for the tragic living conditions endured by those banished and

that it must be forced to allow international and humanitarian organizations to channel the necessary medical and food supplies to them until their return.

9. It considered that the serious escalation of Israeli inhuman aggression against the Palestinian people in the occupied Palestinian territories makes it incumbent upon the international community to provide the necessary means of pressure to force Israel to bring back all those Palestinians and to put an end to its oppressive practices against the Palestinian citizens in the occupied Palestinian territories. The international community should also adopt the necessary measures to provide appropriate protection to the Palestinian people in the occupied territories and to place the latter under interim international supervision pursuant to international resolutions, in particular Security Council resolutions 605 (1987), 607 (1988), 681 (1990) and 726 (1992).

10. It hailed the blessed Palestinian intifadah in the occupied Palestinian territories and expressed its full solidarity and support to the Palestinian people in their legitimate struggle for the recovery of their inalienable national rights, and reiterated that the issue of Al-Quds Al-Sharif and Palestine constitute the central and foremost issue of the Islamic Ummah, and the core of the Arab-Israeli conflict, and that a comprehensive and just peace in the Middle East can only be achieved through the complete Israeli withdrawal from all occupied Palestinian and Arab territories, including Al-Quds Al-Sharif, the Syrian Golan, South Lebanon and the Jordanian territories and through enabling Palestinian people to exercise their inalienable and imprescriptible national rights, including their right to return, to self-determination and to the establishment of their own independent Palestine State with its capital Al-Quds Al-Sharif, under the leadership of their sole legitimate representative, the Palestine Liberation Organization.

11. It expressed its concurrence with and support to the efforts under way for achieving a comprehensive and equitable solution to the issue of Palestine and the Arab-Israeli conflict, in accordance with the international resolutions and in particular Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and the formula of land for peace and the national political rights of the Palestinian people and the settlement of the issue of the Palestinian refugees pursuant to the United Nations resolutions and in particular General Assembly resolution 194 and Security Council resolution 237 (1967).

12. It reiterated that the city of Al-Quds Al-Sharif forms an integral part of the Palestinian territories occupied in 1967 and that it is subject to all that is applicable to these territories, in accordance with international resolutions and that it cannot in any way be excluded from the current peace talks.

13. It reaffirmed that that all measures and arrangements taken by Israel to annex the city of Al-Quds Al-Sharif and the Syrian Golan and to impose Israeli law there are null and void, in accordance with Security Council resolutions 465 (1980), 478 (1980) and 497 (1981).

14. It considered all the Israeli settlements established in the occupied Palestinian and Arab territories as illegal and contrary to international resolutions, notably Security Council resolution 465 (1980), and that necessary international guarantees should be provided to ensure their removal. It called upon the international community to exercise necessary pressure to force Israel to discontinue settlements in the occupied Arab and Palestinian territories, including Al-Quds Al-Sharif, and considered that the establishment and expansion of settlements and the settlement of Jewish immigrants there constitutes a major obstacle in the way of the achievement of peace.

15. It expressed its appreciation for all States, people, international and regional organizations, as well as the Vatican, which have condemned the mass banishment policy practised by Israel against the Palestinian people and requested them to continue to extend all forms of support to the just struggle of the Palestinian people.

16. It mandated His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Sixth Islamic Summit Conference, to undertake contacts at the highest level with the member States of the Security Council, the United Nations Secretary-General and the Chairman of the European Community so that the Security Council may ensure without any delay the implementation of its resolution 799 (1992) guaranteeing the immediate and safe return of the banished Palestinians to their homes, and the imposition of mandatory and comprehensive sanctions in accordance with the provisions of Chapter VII of the Charter of the United Nations.

17. The Meeting strongly condemned the continuing Serbian aggression against the Republic of Bosnia and Herzegovina and the genocidal campaign of ethnic cleansing being perpetrated against the Muslims. It held the Serb leadership both in Belgrade and its local accomplices in Bosnia and Herzegovina fully responsible and accountable for the mass killings, torture, rape and other war crimes and crimes against humanity brutally committed against the defenseless Muslims and Croats in Bosnia and Herzegovina.

18. It reaffirmed the provisions of resolution 1/5-EX and 1/6-EX, adopted by the fifth and sixth extraordinary sessions of the Islamic Conference of Foreign Ministers, held at Istanbul and Jeddah, respectively, and expressed its full support and solidarity with the Government and people of Bosnia and Herzegovina in their just struggle for safeguarding the sovereignty, independence and territorial integrity of their country.

19. It also recalled all the relevant United Nations Security Council and General Assembly resolutions, as well as the London provisions, pertaining to Bosnia and Herzegovina and former Yugoslavia and emphasized the urgent need for their immediate and full implementation.

20. It strongly condemned the cold-blooded murder by the Serb para-military forces of the Deputy Prime Minister of Bosnia and Herzegovina, while under UNPROFOR protection, which further aggravates the serious situation in

Sarajevo, and considered this crime as a grave affront to the United Nations and a further example of the Serb defiance of the will of the international community.

21. It expressed its deep concern over the fact that the political process instituted under the aegis of the International Conference on former Yugoslavia has had no serious impact on the situation in Bosnia and Herzegovina, which has become unbearable and that the Serbs have attempted to utilize this process to gain legitimacy for their territorial acquisitions and to prevent the Security Council from authorizing the use of force to secure the implementation of its relevant resolutions. It emphasized that the Security Council, which has the primary responsibility for the maintenance of international peace and security, should be enabled to assume fully its responsibility towards the safeguarding of the sovereignty, independence and territorial integrity of the Republic of Bosnia and Herzegovina against Serbian aggression.

22. It fully shared the concerns of the Bosnian Government regarding the map presented during the Geneva talks and strongly believed that the map in question, which divides Bosnia and Herzegovina into zones based on the "de facto" situation on the ground, should be re-drawn without taking into consideration the policy of "ethnic cleansing".

23. It condemned the Serbian refusal to place its heavy weaponry under effective international control and the continuous use of it against innocent people and demanded that the Serbs should be notified to place the heavy weaponry in their possession under the effective international control as decided by the London Conference. If international control cannot be established, then the heavy weaponry should be silenced by military means and further military action against strategic targets should be considered. It expressed its support to the Bosnian Government's stance on the establishment of an effective international control of heavy weapons in Bosnia and Herzegovina, as agreed at the London Conference, and welcomed and appreciated the Bosnian Government's readiness to comply with it.

24. In view of the continuing intransigence of the Serbian aggressor, the Meeting called for the enforcement of the no-fly zone over Bosnia and Herzegovina.

25. It also stressed the need for the perpetrators of the crimes committed against humanity to be determined and tried. It called for immediate establishment of an international tribunal for war crimes being committed in Bosnia and Herzegovina and former Yugoslavia. In this respect it underlined the need for urgent steps to be taken to secure an advisory opinion from the International Court of Justice as to whether the crimes committed in Bosnia and Herzegovina come within the scope of the Convention on the Prevention and Punishment of the Crime of Genocide.

26. It emphasized the need to increase significantly the humanitarian and financial assistance to the Bosnian people as harsh winter conditions make such assistance all the more necessary.

27. It mandated Mr. Abdou Diouf, President of the Republic of Senegal and Chairman of the Sixth Islamic Summit Conference, to undertake contacts at the highest level with the member States of the Security Council, the United Nations Secretary-General, the Chairman of the European Community and the Chairman of the Conference on Security and Cooperation in Europe in order to stress the need for taking urgent measures to implement the resolutions of the Security Council on Bosnia and Herzegovina, as well as the resolution of the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers, notably by authorizing action under Article 42 of the Charter of the United Nations and to exempt the Government of Bosnia and Herzegovina from the provisions of Security Council resolution 713 (1991) relating to the arms embargo imposed against former Yugoslavia, so as to enable the Republic of Bosnia and Herzegovina to exercise effectively its legitimate right to individual and collective self-defence in accordance with Article 51 of the Charter of the United Nations.

28. It instructed the Contact Group of the Organization of the Islamic Conference at the United Nations to seek an evaluation by the Security Council of the implementation of its resolutions concerning Bosnia and Herzegovina in accordance with resolution 1/6-EX adopted by the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers and resolution 47/121 adopted by the United Nations General Assembly, bearing in mind that the aforementioned resolutions call for such an evaluation by 15 January 1993 and for consideration of further measures to oblige the Serbians to comply fully with the relevant resolutions of the Security Council and the decisions of the London Conference.

29. It recommended that President Abdou Diouf, the current Chairman of the Islamic Summit, undertake consultations for the convention of an extraordinary session of the Islamic Summit.

30. The Meeting strongly condemned the destruction by Hindu militants of the Babri Mosque in India, which was an ancient Islamic place of worship. It also regretted the loss of thousands of human lives.

31. It recalled the provisions of the Declaration on Joint Islamic Action to Combat Blasphemy Against Islam adopted by the 18th Islamic Conference of Foreign Ministers and called upon the Islamic countries individually and collectively to exert effective and coordinated efforts to ensure respect for Islam and its noble values throughout the world and to protect and safeguard the Islamic Muqaddesat (the Sacred Book, personalities and places).

32. After having noted with interest the announcement by the Indian Government of its commitment to rebuild the Babri Mosque, the Islamic world has been suprised by the authorization given immediately after this announcement to the Hindu fundamentalists to perform their religious rites on the site of the Mosque that they destroyed. Reflecting the resentment of the Muslims, the Meeting called upon the Government of India to honour its pledge to rebuild the Mosque without further delay on its original site. It further urged the Government of India to take effective measures to protect the human

rights of the Muslims of India, particularly their religious and cultural rights as well as their Mosques and holy places.

33. At the end of their deliberations the participants expressed their profound thanks and appreciation to President Abdou Diouf and to the Government and people of the Republic of Senegal for the warm and fraternal welcome and generous hospitality extended to them.

34. President Abdou Diouf expressed his deep gratitude to the participants for the true spirit of understanding and cooperation which they demonstrated during the deliberations and which contributed immensely to the success of the Meeting.